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1641
JFW
PATENT
Docket No.: 002558-064410US
Client Ref. No.: BRP0098

On: December 29, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: *Lois M. Simón*
Lois M. Simón

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Quan Nguyen et al.

Application No.: 10/092,926

Filed: March 6, 2002

For: ASSAY SYSTEM FOR
SIMULTANEOUS DETECTION AND
MEASUREMENT OF MULTIPLE
MODIFIED CELLULAR PROTEINS

Examiner: Counts

Art Unit: 1641

ELECTION

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Commissioner for Patents
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Sir:

In response to the Office Action dated December 15, 2004, Applicants elect to prosecute the claims of Group I, with traverse.

The Requirement for Restriction is traversed on the basis that despite the difference in literal claim scope, the overall concepts of the claims relate to a single invention - the use of mild denaturing conditions and reagents in the analysis of a sample for multiple proteins. Whether or not the claims can be separately classified, conducting a search of all claims together would enable Applicants to obtain a single patent on the invention and at the same time would not place an undue burden on the examiner.

Quan Nguyen
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Page 2

PATENT

Applicants respectfully request withdrawal of the Requirement for
Restriction and examination of all claims together.

CONCLUSION

If the Examiner believes a telephone conference would expedite
prosecution of this application, please telephone the undersigned.

Respectfully submitted,

Joel G. Ackerman
Reg. No. 24,307

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PTQ/SB/21 (09-04)

TRANSMITTAL FORM

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Total Number of Pages in This Submission

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Application Number

10/092,926

Filing Date

March 6, 2002

First Named Inventor

Nguyen, Quan

Art Unit

1641

Examiner Name

Counts

Attorney Docket Number

002558-064410US

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply - ELECTION

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a Provisional Application

☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

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Request for Refund

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Landscape Table on CD

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After Allowance Communication to TC

☐

Appeal Communication to Board of Appeals and Interferences

☐

Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify below):

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Certified Copy of Priority Document(s)

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Reply to Missing Parts/ Incomplete Application

☐

Reply to Missing Parts under 37 CFR 1.52 or 1.53

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.



01-03-2005

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Townsend and Townsend and Crew LLP

Signature

Printed name

Joel G. Ackerman

Date

December 29, 2004

Reg. No.

24,307

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Lois M. Simon

Typed or printed name

Lois M. Simon

Date

December 29, 2004